

Sixty-eighth  
Legislative Assembly  
of North Dakota

**BILL NO.**

Introduced by

Representative Boschee

1 A BILL for an Act to create and enact a new section to chapter 4.1-44 of the North Dakota  
2 Century Code, relating to the establishment of the Roosevelt horse herd in Theodore Roosevelt  
3 national park; to provide a penalty; and to provide a contingent effective date.

4 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

5 **SECTION 1.** A new section to chapter 4.1-44 of the North Dakota Century Code is created  
6 and enacted as follows:

7 **Roosevelt horse herd - Necessary interaction - Written authorization - Violation -**  
8 **Classification - Definitions - Penalty.**

- 9 1. An individual may not harass, shoot, injure, kill, or slaughter a horse that is part of the  
10 Roosevelt horse herd.
- 11 2. An individual may not interfere with, take, chase, capture, or euthanize a horse that is  
12 part of the Roosevelt horse herd without written authorization from the department.  
13 The county sheriff in the county in which the horse is located may provide written  
14 authorization under this subsection only for humane purposes.
- 15 3. If an incident occurs which requires interaction with the Roosevelt horse herd to  
16 protect the safety or health of a horse belonging to the Roosevelt horse herd or a  
17 member of the public, an individual may address the incident after obtaining written  
18 authorization from either the department or the county sheriff in the county in which  
19 the horse is located.
- 20 4. If a horse has a brand or other mark that indicates ownership, the department shall  
21 attempt to prove ownership of the horse or the county sheriff in the county in which the  
22 horse is located shall contact the department to attempt to establish ownership of the  
23 horse. If the department cannot prove ownership of the horse, the department or the

1           county sheriff from the county in which the horse is located may provide written  
2           authorization to euthanize the horse.

3           5. The state of North Dakota shall enter an agreement with the national park service to  
4           control, manage, and maintain the Roosevelt horse herd and to implement this  
5           section.

6           6. The department may enter an agreement with a private entity to address any issue  
7           relating to the Roosevelt horse herd.

8           7. A horse that is part of the Roosevelt horse herd is not considered livestock running at  
9           large and is not subject to chapter 36-11.

10          8. For purposes of this section, "Roosevelt horse herd" includes the horses currently  
11          inhabiting and which historically have inhabited the area in and around Theodore  
12          Roosevelt national park which do not have a brand or other mark indicating ownership.

13          9. An individual who intentionally violates this section is guilty of a class A misdemeanor.

14          **SECTION 2. CONTINGENT EFFECTIVE DATE.** This Act is becomes effective on the date  
15          the agriculture commissioner certifies to the legislative council that the state of North Dakota  
16          has entered an agreement with the national park service, as specified under subsection 5 of  
17          section 1 of this Act, if the agreement is entered on or before May 15, 2024.